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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DEMETRIUS CONWELL,

Petitioner,

v.

JEANNE WOODFORD; THOMAS L.  
CAREY,

Respondents


No. C 05-2930 MMC

**ORDER CONDITIONALLY GRANTING  
PETITION FOR WRIT OF HABEAS  
CORPUS**

On remand from and at the direction of the Ninth Circuit Court of Appeals, the petition for a writ of habeas corpus is hereby conditionally GRANTED, and respondents are directed to release petitioner from custody, unless, within ninety days of the filing of this order, the State of California grants petitioner a new trial.

**IT IS SO ORDERED.**

Dated: March 13, 2009

  
MAXINE M. CHESNEY  
United States District Judge